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Response under 37 C.F.R. § 1.116 Expedited Procedure Examining Group 2828

PATENT

ATTORNEY DOCKET NO.: 041514-5106

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re	Application of:)	
Shini	chi TAKAHASHI et al.)	Confirmation No.: 5427
Appli	cation No.: 09/770,673)	Group Art Unit: 2828 Examiner: J. Menefee
Filed:	January 29, 2001)	Examiner. 3. Intelletee
For:	OPTICAL PICKUP APPARATUS AND LASER DIODE CHIP)	Mail Stop AF
U.S. I 2011 Custo Crysta	nissioner for Patents Patent and Trademark Office South Clark Place mer Window, Mail Stop AF al Plaza Two, Lobby, Room 1B03 gton, VA 22202		RECEIVED TECHNOLOGY CENTER 2800 TECHNOLOGY CENTER 2800 TECHNOLOGY CENTER 2800
Sir:			1ER 28
	AMENDMENT TRAI	<u>ISMITT</u>	TAL FORM
1.	Transmitted herewith is an Amendment in November 5, 2003.	response	· ·
2.	Additional papers enclosed:		
	Drawings: Formal Information Disclosure Statement Information Disclosure Statement Form PTO-1449, reference attack Citations Declaration of Biological Deposit Submission of "Sequence Listing", pertaining thereto for biotechnology acid sequence	hed compute	ection) er readable copy and/or amendment on containing nucleotide and/or amino

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3. Extension of Time

The proceedings herein are for a patent	application and the provisions of
37 C.F.R. § 1.136(a) apply.	Ti and providend of

\boxtimes	Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.				
Applicants petition for an extension of time, the fees for which are se 37 C.F.R. § 1.17(a), for the total number of months checked below:					
	Total Months	Fee for	[For for Cur -11		
	Requested	Extension	[Fee for Small		
	requested	LATCHSION	Entity]		
	one month two months three months four months	\$ 110.00 \$ 420.00 \$ 950.00 \$ 1,480.00	\$ 55.00 \$ 210.00 \$ 475.00 \$ 740.00		
	Extension of time fee due with this request: \$				
	If an additional extention therefor.	ension of time is requ	ired, please consider this a Petition		
	An extension for of \$ is deduct	months has alreated from the total fee	dy been secured and the fee paid therefor due for the total months of extension now		

4. <u>Constructive Petition</u>

requested.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

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5. <u>Fee Calculation</u> (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	5	minus	20	0.	x \$18 each =	+ \$0.00
Independent Claims (37 C.F.R.§1.16(b))	2	minus	3	0	x \$86 each =	+ \$0.00
[] First presentation of Multiple dependent claim(s) \$290.00				+ \$0.00		
SUB-TOTAL =				\$0.00		
Reduction by ½ for filing by a small entity			- \$0.00			
TOTAL FEE =			\$0.00			

6.	Fee Payme	<u>ent</u>
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\boxtimes	No fee is to be paid at this time.
	The Commissioner is hereby authorized to charge Deposit Account No. 50-0310
\boxtimes	The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: January 28, 2004

By:

Paul A. Fournier Reg. No. 41,023

FEB -3 2004

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